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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

August 21, 2014

CERTIFIED RETURN RECEIPT
7011 2970 0001 8827 9280

William Bown
Bonneville Quarries
842 West 400 North
West Bountiful, Utah 84087

Subject: Proposed Assessment for State Notice of Violation No.MN-2014-17-01 Bonneville Quarries, Inc., Lynn Springs Quarry, M/003/025, Box Elder County, Utah

Response Due By: 30 Days of Receipt

Dear Mr. Bown

The undersigned has been appointed by the Division of Oil, Gas & Mining as the assessment officer for assessing penalties under R647-7.

Enclosed is the proposed civil penalty assessment for the above referenced notice of violation). The NOV was issued by Division inspector, Lynn Kunzler, on June 30, 2014. Rule R647-4-107.1.12 and R647-4-107.4. has been utilized to determine the proposed penalty of \$374.00. The enclosed worksheet outlines how the civil penalty was assessed.

By these rules, any written information which was submitted by you or your agent within fifteen (15) days of receipt of this NOV has been considered in determining the facts surrounding the violation and the amount of this penalty.

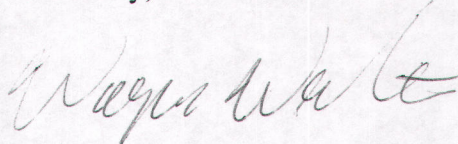
Under R647-7-106, there are two informal appeal options available to you. You may appeal the 'fact of the violation', the proposed civil penalty, or both. If you wish to informally appeal you should file a written request for an informal conference within thirty 30 days of receipt of this letter.

Page 2 of 5
William Bown
M/003/0025
August 21, 2014

The informal conference will be conducted by a Division-appointed conference officer. The informal conference for the fact of the violation is distinct from the informal assessment conference regarding the proposed penalty. If you wish to review both the fact of the violation and proposed penalty assessment, you should file a written request for an assessment conference within thirty (30) days of receipt of this letter. In this case, the assessment conference will be scheduled immediately following the review of the fact of the violation.

If a timely request for review is not made, the fact of the violation will stand; the proposed penalty will become final, and will be due and payable within thirty (30) days of the date of this proposed assessment September 23, 2014. Please remit payment to the Division, mail c/o Sheri Sasaki.

Sincerely,

A handwritten signature in cursive script, appearing to read "Wayne Western", written in dark ink.

Wayne Western
Assessment Officer

LK: whw

Enclosure: Proposed assessment worksheet

cc: Sheri Sasaki, Accounting
Vickie Southwick, Exec. Sec.

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Two hundred gallon tank with no secondary containment, buckets of lubricants with no secondary containment, trash left on site.

3. What is the extent of actual or potential damage: ____

ASSIGN DAMAGE POINTS(RANGE 0-25) 12

In assigning points, consider the duration and extent of said damage or impact, in terms of area and impact on the public or environment.

PROVIDE AN EXPLANATION OF POINTS: _____

There is the potential for a fuel spill that could contaminate surface and/or ground water.

B. ADMINISTRATIVE VIOLATIONS (Max 25pts)

1. Is this a POTENTIAL or ACTUAL hindrance to enforcement? _____
Assign points based on the extent to which enforcement is actually or potentially hindered by the violation.

ASSIGN HINDRANCE POINTS _____

PROVIDE AN EXPLANATION OF POINTS: ____

TOTAL SERIOUSNESS POINTS (A or B)_____

III. DEGREE OF FAULT (Max 30 pts.) (R647-7-103.2.13)

A. IF SO--NO NEGLIGENCE; or, , IF SO--GREATER DEGREE OF FAULT THAN NEGLIGENCE.		Point Range
No Negligence (Was this an inadvertent violation which was unavoidable by the exercise of reasonable care?)		0
Negligence (was this a failure of a permittee to prevent the occurrence of a violation due to indifference lack of diligence, or lack of reasonable care?)		1-15
Greater Degree of Fault (was this a failure to abate any violation or was economic gain realized by the permittee?)		16-30

STATE DEGREE OF NEGLIGENCE_____

ASSIGN NEGLIGENCE POINTS 10

PROVIDE AN EXPLANATION OF POINTS:____

IV. GOOD FAITH (Max 20 pts.) (R467-7-103.2.14)

(Either A or B) (Does not apply to violations requiring no abatement measures, or violations not abated at the time of assessment)

Has Violation Been Abated? Yes / No

- A. EASY ABATEMENT (The operator had onsite, the resources necessary to achieve compliance of the violated standard within the permit area.)

Immediate Compliance	<u>Point Range</u> -11 to -20
(Immediately following the issuance of the NOV)	
Rapid Compliance	-1 to -10
(Permittee used diligence to abate the violation.	
Violation abated in less time than allotted.)	
Normal Compliance	0
(Operator complied within the abatement period required,	
or, Operator requested an extension to abatement time)	

- B. DIFFICULT ABATEMENT (The operator did not have the resources at hand to achieve compliance, or the submission of plans was required prior to physical activity to achieve compliance.)

Rapid Compliance	<u>Point Range</u> -11 to -20
(Permittee used diligence to abate the violation.	
Violation abated in less time than allotted.)	
Normal Compliance	-1 to -10
(Operator complied within the abatement period)	
Extended Compliance	0
(Operator complied within the abatement period required,	
or, Operator requested an extension to abatement time)	
(Permittee took minimal actions for abatement to stay	
within the limits of the violation, or the plan submitted	
for abatement was incomplete.)	

EASY OR DIFFICULT ABATEMENT? _____

ASSIGN GOOD FAITH POINTS -20

PROVIDE AN EXPLANATION OF POINTS: _____

Removed fuel and trash from site within two days of receiving violation.

V. ASSESSMENT SUMMARY (R647-7-103.3)

I.	TOTAL HISTORY POINTS	_____
II.	TOTAL SERIOUSNESS POINTS	<u>27</u>
III.	TOTAL NEGLIGENCE POINTS	<u>10</u>
IV.	TOTAL GOOD FAITH POINTS	<u>-20</u>
	TOTAL ASSESSED POINTS	_____
	TOTAL ASSESSED FINE	\$ <u>17</u>